



U.S. Department of Justice

United States Attorney

Eastern District of Pennsylvania

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NEWS RELEASE

Acting United States Attorney Laurie Magid today announced the filing of a superseding indictment¹ adding an additional defendant in Criminal No. 09-00052 by charging John Kerzner with conspiracy and possession with intent to distribute oxycodone. The original indictment charged Mikhail Elam and Harvey Penn with participating in the conspiracy. The superseding indictment alleges that, from about January 16, 2007 through about December 22, 2008, Elam, Penn, and Kerzner used false and fraudulent prescriptions to obtain thousands of Percocet and OxyContin pills by having the prescriptions filled at a local pharmacy. The Percocet and OxyContin was subsequently sold on the street by Kerzner and others.

Kerzner faces a maximum sentence of 60 years imprisonment, three years to a lifetime of supervised release, a \$3 million fine, and a \$300 special assessment, and forfeiture.

INFORMATION REGARDING THE DEFENDANT

NAME	ADDRESS	AGE
JOHN KERZNER	Clifton Heights, PA	22 years old

The case was investigated by the Federal Bureau of Investigation and the Drug Enforcement Administration Diversion Group and is being prosecuted by Assistant United States Attorney Ewald Zittlau.

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¹ An Indictment is an accusation. A defendant is presumed innocent unless and until proven guilty.

